

NEWS RELEASE



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San Diego, California***

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For Immediate Release

NEWS RELEASE SUMMARY - September 14, 2006

United States Attorney Carol C. Lam announced that Richard Elizalda, a Customs and Border Protection Officer (CBPO) assigned to the San Ysidro Port of Entry, pled guilty today in federal court in San Diego to one count of bribery by a public official and two counts of bringing in illegal aliens for financial gain. Codefendant Kenneth Web also pled guilty today to one count of bringing in an illegal alien for financial gain. Elizalda and Web tendered their guilty pleas before Magistrate Judge William McCurine, Jr., subject to final acceptance of the pleas by United States District Judge Larry A. Burns, at the time of sentencing.

According to Assistant U.S. Attorneys Linda Frakes and Stephen Tokarz, who are prosecuting the case, Elizalda, and seven codefendants were charged on June 2, 2006, in a fifteen-count indictment alleging Bribery by a Public Official, Conspiracy to Bring in Illegal Aliens for Financial Gain, Bringing in Illegal Aliens for Financial Gain, Importation of Marijuana, Possession of Marijuana with Intent to Distribute, Filing a False Tax Return, and Criminal Forfeiture.

Elizalda admitted, in connection with his guilty plea, that he received between \$70,000 and \$120,000 in United States currency and benefits from members of an alien smuggling organization, operated by codefendants Raquel Arin and Carmen Alvarado, in exchange for failing to enforce, and for violating, the immigration laws of the United States. Specifically, Elizalda intentionally allowed hundreds of illegal aliens to enter through his primary inspection lane at the San Ysidro Port of Entry in exchange for cash payments. Elizalda further admitted that he text-messed his primary lane assignment (in code) to Raquel Arin and Carmen Alvarado so that they, and other members of their organization, could bring illegal aliens into the United States without inspection.

In connection with his guilty plea Web admitted that between 2004 and June 2006 he earned a smuggling fee for each illegal alien that he brought or assisted in bringing into the United States. In his plea agreement, Web admitted that he brought or assisted in bringing into the United States between 25 and 99 illegal aliens.

According to Assistant U. S. Attorneys Frakes and Tokarz, both Elizalda and Web tendered their guilty pleas pursuant to written plea agreements. A condition of the Elizalda plea agreement requires Elizalda to forfeit to the United States bribery proceeds including: \$36,760 in cash, one 2005 BMW vehicle, one 2000 Lexus vehicle, and jewelry valued at approximately \$15,000 dollars. In addition, prior to sentencing, Elizalda must resign from his federal employment with the Department of Homeland Security.

United States Attorney Lam said, "It is a sad day indeed when a federal agent admits to breaking the very laws he was supposed to enforce. But Elizalda's corruption should not tarnish his fellow officers - in fact, it was fellow officers who reported their suspicions about Elizalda to their superiors and assisted in the investigation."

This case was the result of a two-year investigation entitled, "Operation Permanent Wave," involving agents of the Federal Bureau of Investigation, Immigration and Customs Enforcement, Department of Homeland Security (DHS) - Office of Inspector General, Internal Revenue Service, and DHS Customs and Border Protection Anti-Terrorism Contraband Enforcement Team.

FBI Special Agent in Charge Daniel R. Dzwilewski commented, "Those who engage in smuggling people across our border endanger the lives of every United States citizen. These illegal activities undermine homeland security and the law. The FBI will continue to vigilantly investigate those who are suspected of putting the American way of life in jeopardy."

"Dismantling human smuggling organizations is a top ICE enforcement priority," said Miguel Unzueta, Special Agent in Charge for the ICE office of investigations in San Diego. "This case sends a strong message that ICE and the Department of Homeland Security will aggressively attack corrupt and greed-driven criminal schemes that threaten our border security."

Richard L. Skinner, Inspector General of the U.S. Department of Homeland Security (DHS), Office of Inspector General (OIG) said, "We are always troubled to find that a DHS employee has violated the high trust placed in them by the department, their coworkers, and the public to use their official position for corrupt activities that compromise our Nation's borders. Today's guilty plea serves as a reminder that the OIG will aggressively investigate employee corruption allegations to protect the integrity of DHS personnel, programs and operations, and thereby our Nation's borders."

Adele Fasano, Customs and Border Protection Director of Field Operations said, "We believe this court action today will send a strong message both to the community at large and to those in trusted positions in federal law enforcement who would contemplate participating in corrupt and unlawful behavior. CBP is a world-class law enforcement agency and enjoys a special position of national trust as the sole border enforcement agency. The vast majority of our officers are highly skilled, hard-working professionals dedicated to our mission to protect the American public. We will not tolerate corruption within our workforce and we will actively ferret out and prosecute to the fullest extent of the law any employees who commit unethical or unlawful acts that violate that special trust."

Elizalda and Web are scheduled to appear for final acceptance of plea and sentencing before United States District Judge Larry A. Burns on December 11, 2006 at 9:30 a.m.

DEFENDANTS**Criminal Case No. 06 CR 1195-LAB**

Richard Elizalda
Kenneth Web

SUMMARY OF CHARGES

Title 18, United States Code, Sections 201(b)(2)(A) and (C) - Bribery by a Public Official
Maximum Penalties: 15 Years in Custody; \$250,000 Fine (Or 3 times the amount of the bribe, whichever is greater)

Title 8, United States Code, Section 1324(a)(2)(B)(ii) and Title 18, United States Code, 371 - Conspiracy To Bring in Illegal Aliens for Financial Gain
Maximum Penalties: 5 Years in Custody; \$250,000 Fine

Title 8, United States Code, Section 1324(a)(2)(B)(ii) and Title 18, United States Code, Section 2- Bringing in Illegal Aliens For Financial Gain and Aiding and Abetting
Maximum Penalties: 15 Years in Custody (5 Year Minimum Mandatory); \$250,000 Fine

PARTICIPATING AGENCIES

Federal Bureau of Investigation
United States Department of Homeland Security, Immigration and Customs Enforcement
United States Department of Homeland Security, Office of Inspector General
United States Department of Homeland Security, Immigration and Customs Enforcement, Office of Professional Responsibility
Internal Revenue Service, Criminal Investigation
United States Department of Homeland Security, Customs and Border Protection, Anti-Terrorism Contraband Enforcement Team
San Diego County Sheriff